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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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7
8 UNITED STATES OF AMERICA,

NO. MJ 16-142-JPD

9 Plaintiff,

10 v.

DETENTION ORDER

11 RODRIGO ALFARO VASQUEZ,

12 Defendant.

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14 Offense charged:

15 Count 1: Possession of Heroin with Intent to Distribute in violation of 21 U.S.C.
16 §§ 841(a)(1), 841(b)(1)(C)
17 Count 2: Possession of Methamphetamine with Intent to Distribute, in violation of
18 21 U.S.C. § 841(a)(1) and 841 (b)(1)(C)
19 Count 3: Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in
violation of 18 U.S.C. § 924 (c) (1)(A)

20 Date of Detention Hearing: April 5, 2016

21 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

22 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

23 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
24 defendant is a flight risk and a danger to the community based on the nature of
25 the pending charges. Application of the presumption is appropriate in this case.

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18 U.S.C. § 3142(i)

- (2) Defendant has serious ongoing substance abuse problems.
- (3) Defendant was previously arrested for the offense by State authorities, but mistakenly released. When he was rearrested defendant had more methamphetamine and heroin in his possession, indicating an on-going willingness to endanger the community.
- (4) When he was arrested, he had a handgun in his possession.
- (5) Defendant is not a citizen. If he is convicted, he is unlikely to obtain a permanent residency card, thus providing more incentive for him to flee.
- (6) Although he is a native of El Salvador, defendant has ties to Mexico.
- (7) There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

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¹⁸ U.S.C. § 3142(i)

(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 5th day of April, 2016.

James P. Donohue

JAMES P. DONOHUE
United States Magistrate Judge